

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

TERICK AZEEZ
Plaintiff(s)

VS.

C.A. NO. 1:21-cv-55

LIFESPAN CORPORATION
Defendant(s)

NOTICE OF REMOVAL

Defendant Lifespan Corporation¹ files this Notice of Removal in accordance with 28 U.S.C. §§ 1441 and 1446 and hereby remove to this Court the above action pending in the Rhode Island Superior Court in Providence County (“the Action”). Removal is proper for the following reasons:

1. The Action was commenced on or about January 8, 2021 in the Rhode Island Superior Court for Providence County. The Action is captioned *Terick Azeez v. Lifespan Corporation*, C.A. No. PC-2021-00118. A true and accurate copy of Plaintiff's Complaint is attached hereto as **Exhibit A**.
2. Plaintiff filed an Amended Complaint on January 8, 2021.
3. Defendant Lifespan was served with the Summons and Amended Complaint on January 12, 2021.
4. A true and accurate copy the Summons and Amended Complaint served upon the Defendant are attached hereto as **Exhibit B**.

¹ Defendant Lifespan Corporation is not a proper party to this matter because it did not employ or contract with the Plaintiff. Plaintiff was in the employ of Rhode Island Hospital.

5. The Plaintiff also filed a Claim of Jury Trial a copy of which is attached hereto as **Exhibit C**. The documents attached hereto as **Exhibits A, B and C** represent the entirety of the pleadings and filings in the Action as of the filing of this Notice of Removal.

6. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b) inasmuch as it has been filed within thirty (30) days of the date on which the Defendant was served with the Complaint.

7. This Court has original “federal question” jurisdiction over this action pursuant to 28 U.S.C. § 1331 because the Complaint states a cause of action under the Fair Credit Report Act, 15 U.S.C. 8 1681 *et seq.* (Ex. A.).

8. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal will be filed with the Clerk of the Providence County Superior Court in accordance with the Notice of Filing Notice of Removal, attached hereto as **Exhibit D**. A copy of both Notices will be served upon Plaintiff’s counsel.

9. In accord with Local Rule Gen 303, a civil cover sheet is filed in conjunction with this Notice of Removal.

LIFESPAN CORPORATION
By Its Attorney,

/s/ James A. Musgrave

James A. Musgrave (#6640)
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CERTIFICATION

I, James A. Musgrave, hereby certify that on January 28, 2021, I served the foregoing by causing a true and correct copy of the same to be sent by operation of the Court's ECF System to the following:

Vicki J. Bejma, Esq.
Stephen M. Robinson, Esq.
ROBINSON & CLAPHAM
123 Dyer Street, Suite 135
Providence, RI 02903

/s/ James A. Musgrave

JAM:jam
5375-21 (3682541)
1/28/2021